

### REMARKS

In the Final Office Action that was mailed May 4, 2007, the Examiner maintained the rejections of claims 1-15 and 25. Applicant has canceled previously withdrawn claims 16-24 and 26. Accordingly, claims 1-15 and 25 remain pending.

Applicant respectfully requests reconsideration of claims 1-15 and 25 in view of the following remarks.

#### **Elections/Restrictions**

The Examiner stated that a complete reply to the final rejection must include cancellation or other appropriate action of non-elected claims that stand withdrawn. (Office Action, page 2). Applicant has canceled previously withdrawn claims 16-24 and 26.

#### **Response to Provisional Double Patenting Rejection**

The Examiner maintained the provisional rejections of claims 1, 2 and 9 on the grounds of non-statutory obviousness-type double patenting as being unpatentable over claims 5-6, 9 and 16 of co-pending Application No. 10/665249. The Examiner noted that this is a provisional rejection because none of the claims at issue have been patented. Applicant notes the Office's concern, but does not concede the correctness of the provisional rejection. Should a non-provisional double patenting rejection be issued following allowance of one set of allegedly conflicting claims, Applicant will respond at that time.

#### **Response to Claim Rejections – 35 U.S.C. § 102**

The Examiner maintained the rejections of claims 1-15 and 25 under 35 U.S.C. § 102(e) as being anticipated by Wocke (U.S. Patent Publication 2006/0161814). Applicant disagrees, and submits that independent claims 1, 15 and 25 each define subject matter that is patentable over Wocke, as do dependent claims 2-14.

The Examiner, in maintaining the rejection of claim 1, repeated from the previous Action the (same) citations to Wocke. (Office Action, pages 4-5). Additionally, in a "Response to

Arguments” section of the present Office Action, the Examiner referred to some of Applicant’s arguments from the previous response. The Examiner stated that “features upon which Applicant relies are not recited in the rejected claim(s).” Specifically, the Examiner stated that Applicant’s argument distinguishing Wocke for failure to teach or suggest invoking a second execution of the same analytical task was not recited in claim 1.

Applicant disagrees. While Applicant understands that the Examiner must examine a claim by giving the claim its “broadest reasonable interpretation,” MPEP 2111, Applicant submits that the Examiner, in this case, has unreasonably interpreted Applicant’s claim 1, at least in ignoring a limitation defined by antecedent basis considerations. For example, the preamble of Applicant’s claim 1 recites a “computer system to invoke multiple executions of an analytical task.” (emphasis added). Claim 1 also recites a computer system programmable to “invoke a first execution of the analytical task,” and “invoke a second execution of the analytical task.” (emphasis added). That is, the first time that the analytical task is recited in the claim, it is preceded by the article “an,” while subsequent references to the analytical task are preceded by the article “the.” As such, because Applicant uses “the,” rather than “an,” as the article preceding each of the subsequent references, and because no other tasks are recited in the claim, the subsequent references to the analytical task clearly refer to the analytical task recited in the preamble under a reasonable claim interpretation that considers antecedent basis considerations. Thus, the claim 1 recitations of first and second executions of the analytical task refer to the same analytical task, and Applicant asks the Examiner to reconsider claim 1 under this proper interpretation.

The Examiner also stated that the “prior art broadly presents engines that perform analytical tasks.” (Office Action, page 10). Applicant submits that this is insufficient to anticipate or render obvious the subject matter set forth in claim 1. For example, nowhere does Wocke disclose or suggest, as recited by claim 1, a computer system programmed to “invoke a second execution of the analytical task by providing both the first and second input values to a second analytical engine.” (emphasis added). The Examiner did not respond to Applicant’s argument in the previous response discussing Wocke’s deficiencies in failing to teach or suggest “a second input value” and in failing to teach or suggest invoking “a second execution of the analytical task by providing both the first and second input values.”

For at least these reasons, Applicant respectfully requests that the Examiner withdraw the Final Office Action and reconsider Applicant's arguments set forth in the previous response, which are repeated below.

Claim 1 is not anticipated or rendered obvious by Wocke. In particular, Wocke fails to disclose or suggest, as recited in Applicant's claim 1, a computer system that is programmed to invoke a first execution of an analytical task by providing a first input value to a first analytical engine, and invoke a second execution of the same analytical task by providing both the first input value and a second input value to a second analytical engine. Neither does Wocke disclose or suggest a computer system that is programmed to perform these operations in response to receiving a request from a front-end software application, as recited in Applicant's claim 1.

Wocke, by contrast, discloses eleven different engines that each perform distinct and separate tasks. (paragraph 0063). These eleven different engines each perform their intended function, as specified by the name of the particular engine, and are described as central or focal programs in an operating system. (paragraph 0063). While Wocke discloses that a data analysis system receives input data in the form of a matrix of data records, Wocke does not disclose or suggest, as recited in claim 1, a computer system programmed to, in response to receipt of a request from a front-end software application, use the request to identify a first input value and invoke an execution of an analytical task in a first analytical engine with the first input value, and then identify a second input value and invoke a second execution of the same analytical task by providing both the first and second input values to a second analytical engine. There is no disclosure or suggestion in Wocke of multiple executions of the same analytical task on engines using expanding input sets, of a front-end software application, or of a request from a front-end software application.

In contending that Wocke anticipates Applicant's claim 1, the Office Action cited, at paragraphs 0039 and 0063 of Wocke, the data analysis system and the engines referred to above. The Office Action further stated that "second input" could mean "next set of data records." Applicant disagrees. First, Wocke does not disclose a "next set of data records." Wocke discloses receiving a matrix of data that includes data records as input, but does not disclose that distinct input values are identified. Second, Wocke does not disclose or suggest a system programmed to invoke a second execution of the same analytical task by providing both the first

and second input values to a second analytical engine, as recited in Applicant's claim 1.

Applicant further notes that the advanced search function cited by the Office Action at paragraph 0023 of Wocke is performed by the search engine 124, one of the central or focal programs as described above. As such, there is no disclosure or suggestion of a front-end software application or a request from a front-end software application, as recited in Applicant's claim 1.

Claim 1 is also not obvious in view of Wocke. Applicant's system enables various procedures to be performed that are not possible with the structures disclosed in Wocke, and are not even contemplated by Wocke. For example, Applicant's system may be used to incrementally invoke execution of analytical tasks as it asynchronously obtains additional input information. (see Applicant's specification page 5, lines 4-15, and page 7, lines 7-9). This may provide flexibility because predictive output can be provided and used quickly, if timeliness is a priority, while higher-quality predictive output can subsequently be provided and used when such output is desired. (see Applicant's specification page 12, lines 18-22, and at page 13, lines 5-12). Additionally, the first and second executions of the analytical task may occur in parallel using Applicant's system (see Applicant's specification page 4, lines 22-26), which would not be possible using the structures of Wocke.

Accordingly, claim 1 is patentable over Wocke, as are dependent claims 2-14. Claims 15 and 25 are similarly patentable over Wocke for at least the reasons discussed above with respect to claim 1. As such, Applicant asks that the anticipation rejections of claims 1-15 and 25 be withdrawn.

### **Conclusion**

Applicant submits that each of claims 1-15 and 25 are in condition for allowance, and asks that a notice of allowance be issued.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as

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an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

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